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INCOMING TELEGRAM

Department of State

CS D/Mellen

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FROM: Bangkok

TO: Secretary of State

NO: 485, October 2, 4 PM

ACTION DEPARTMENT 485, INFORMATION DJAKARTA 26

Reference: DEPTTEL 419 and Djakarta 341

Re timing of PL 480 agreement with Indonesia and delivery of rice, Department Foreign Trade official during discussion with Embassy officer expressed view that shipment proposed 50,000 tons US rice "immediately" would be best from Thai standpoint since Thai deliveries probably would not start until latter part November.

YOUNG

RGD

Bangkok 485

611.9841/10-261

RE 492.9841

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OCT 2 1961

IN..... OUT.....

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ACTION	ASSIGNED TO	NAME OF OFFICER	OFFICE SYMBOL	ACTION TAKEN	DATE OF ACTION	DIRECTIONS TO RM/R
	E. OR. CSD	A. J. Petrov		msg. + Bangkok (783)	10/6/61	to RM/R file

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Authority NND 949570
By GPO NARA Date 8/4/00

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OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

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Origin

ACTION: Amembassy BANGKOK

Info:

Your 485

411.9841/10-261
X R 442.9841

473

Unclear whether refitel refers first 50,000 tons rice to sale of which GDT had previously expressed no objection (Embtel 332) or to second 50,000 tons (Deptel 409). Please clarify.

411.9041/9-161
X R 411.9841

Rusk

RUSK

611.9841/10-261

2

Drafted by:

OR: CSD: CCF: 10/6/61

Telegraphic transmission and

classification approved by:

OR: CSD: Howard M. Gabbert

Clearances:

FAS: Mr. O'Leary

SEA: Mr. Masters

S/SACR

FORM DS-322
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Control: 943

Rec'd: OCT. 3, 1961
8:16am

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FROM: DJAKARTA

Info

SS

T0: Secretary of State

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FE

NO: 627, OCTOBER 3, 5 PM

REAC

B.F.A.C

ICA

PRIORITY

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US 1A

REFERENCE: DEPARTMENT TELEGRAM 341 AND 345.

NSC

EMERGENCY GOI RICE REQUEST AND ONGOING MULTI-YEAR PL 480
NEGOTIATIONS REVIEWED OCT 2 WITH FONOFF OFFICIALS IN LIGHT REFTELS.

INR

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RMR

FINALLY, OFFICIALS SAID AGREEMENT WITH US ON TERMS MULTI-YEAR PROGRAM NOT YET IN SIGHT, PARTICULARLY AS LACKING OUR ANSWERS ON COMMODITY COMPOSITION AND RICE RESERVES. NEED AT LEAST TWO MORE WEEKS FOR INTERDEPARTMENTAL DISCUSSIONS REGARDING POINTS COVERED PARA 2 ABOVE AND CONCURRENCES NOT ASSURED EVEN THEN. IN MINDS GOI OFFICIALS THIS CIRCUMSTANCE SEEMS RULE OUT POSSIBILITY FIRING UP MULTI-YEAR PROGRAM IN TIME SCHEDULE EMERGENCY SHIPMENTS RICE.

GOI REITERATES REQUEST THAT NOV 5, 1960 AGREEMENT BE AMENDED
TO PROVIDE FOR IMMEDIATE SHIPMENT 50,000 TONS RICE WHICH

THUS

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OFFICE SYMBOL <i>E-3</i>					

Authority NND 944570
By CD NARA Date 8/4/00

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-2- 627, OCTOBER 3, 5 PM, FROM DJAKARTA

THUS FAR IS MAXIMUM EMB HAS INDICATED IS AVAILABLE. GOI AT SAME TIME STRESSED AGAIN URGENT NEED FOR 50,000 ADDITIONAL FOR TOTAL OF AT LEAST 100,000 TONS BY END OF YEAR. SAID BRAZILIAN SHIPMENTS TARDY ALTHOUGH REASSURED 100,000 TONS WILL BE AVAILABLE THERE.

EMB RECOMMENDS ACCEDING SOONEST GOI REQUEST FOR 50,000 TONS RICE AS AMENDMENT 1960 AGREEMENT, WITH CONCURRENT UNDERTAKING TO THEM TO SUPPLY ADDITIONAL 50,000 TONS IF AVAILABLE BEFORE END OF YEAR, SUBJECT LH CONSULTATIONS WITH OTHER COUNTRIES. DO NOT PERCEIVE ANY MERIT IN WITHHOLDING FIRST 50,000 TONS RICE PENDING AGREEMENT MULTI-YEAR PROGRAM. NEGOTIATIONS MULTI-YEAR PROGRAM MIGHT WELL CONSUME CONSIDERABLE TIME AND WE WOULD NOT RECOMMEND FORCING CONCLUSION USING RICE CRISIS AS BLUDGEON.

ASSUMING ADDITIONAL 50,000 TONS RICE BECOME AVAILABLE, BELIEVE POSSIBLE NEGOTIATE THIS IN TERMS MULTI-YEAR PROGRAM (1962), DEPENDING OF COURSE UPON RICE SITUATION EXISTING AT TIME.

JONES

CJ

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Authority 4ND 949570
By GP NARA Date 8/4/00

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Djakarta 363

Call 9841/10-361

Origin

ACTION: Amembassy DJAKARTA - PRIORITY *363*

Info:

Embtel 627

In view considerations stated reftel, interested agencies willing supply outside multi-year agreement 50,000 MT Title I PL 480 rice required meet Indonesia's immediate needs. However, because of technical difficulties created by recent amendments PL 480, we prefer supply this rice in new short-term agreement rather than through amendment November 5, 1960 agreement. New agreement would have same terms as 1960 agreement (i.e., 20 percent US uses, 5 percent Cooley, 75 percent country use, 56.25 deposit rate) with three exceptions: 1) Country use entirely 104(g) loan with no provision for 104(e) grant; 2) 2 percent both 104(g) loan repayments and sales proceeds would have to be convertible for 104(a) market development purposes; and 3) subsection 104(s) providing for sale of Indonesian rupiah to American tourists would be proposed for addition to US uses.

If GOI objects to new agreement, you should explain that, so far as Indonesian interests concerned, no practical difference between new agreement on these terms and amendment 1960 agreement. We would have to propose inclusion 104(s) and insist on convertibility 2 percent loan repayments whether we amended 1960 agreement or concluded new agreement, and any other differences would be in form rather than substance. You may also wish

(2)

Drafted by:

OR: CSD: CGP *10/5/61*

Telegraphic transmission and

classification approved by:

OR: CSD: Howard M. Gabbert

Clearances:

SPA: Mr. Thrasher

FAS: Mr. Kross

FN: Miss Milne

ED: Mr. Schweiss

ICA: Mr. Darse

FORM 5-61 DS-322

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Authority *NND 949570*
By *CP* NARA Date *8/4/00*

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✓ explain GOI technical considerations which cause us prefer ^{new} agreement to amendment ^{standard}
1960 agreement: 1) Amendment would have to contain new/language re deposit rate ~~and~~
(even though under present system deposit rate would continue be 50.25) and
104(a) convertibility required by recent amendments PL 480 but would have to specify
these new provisions applied only to proposed rice purchased under this amendment and
not to commodities purchased under basic agreement or September 8 amendment. This
could cause considerable confusion and delays. 2) Requirement that 2 percent re-
payments 104(g) loans made under this amendment but not under basic agreement or
September 8 amendment be converted for 104(a) would create administrative difficulties
in collections and allocations.

You should make following points clear to GOI: 1) This agreement would be only
for 50,000 MT required meet immediate needs and decision re additional rice cannot
be made at this time. 2) Any commodities supplied outside proposed multi-year
agreement would result in corresponding reduction in size that agreement.

Submit your views foregoing priority cable. In hope this proposal acceptable
GOI and to save time, are dispatching appropriate negotiating instruction.

RUSK ^{H. RUSK}
_{by [signature]}

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Action

Control: 4940

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Rec'd: Oct. 9, 1961
11:02am

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FROM: BANGKOK

FE

TO: Secretary of State

AGR

TRSY

NO: 515, OCTOBER 9, 6 PM

WHM

RMR

REFERENCE: DEPTTEL 473 - 3

REFERENCE WAS TO FIRST 50,000 TONS. EMBASSY HAS NOT INFORMED
GOT OF PROPOSED INCREASE.

YOUNG

BP

OR MESSAGE CENTER
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DEPARTMENT OF STATE INSTRUCTION

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NO: W-23 October 9, 1961

SUBJECT: Proposed Title I, PL 480 Program for Indonesia

REF:

TO: American Embassy, DJAKARTA

1. Authority to Begin Negotiations

You are authorized to open negotiations with the Government of Indonesia on the sales and loan program outlined herein for the supply of U.S. rice under Title I, PL 480 having an export market value of \$6,700,000 (including ocean transportation costs to be financed by USDA on the portion of the commodities required to be carried on US flag vessels). In conformity with Executive Order 10900, it is anticipated that the Ambassador will direct negotiations, acting with the advice and participation of representatives of other agencies concerned, including the USOM Director and the Agricultural Attache. If serious problems should arise upon initial review of instructions or during the course of negotiations, you should communicate with the Department before proceeding further.

2. Standard Instructions

To facilitate Washington processes, the negotiating subjects which are more or less standard in all Title I negotiations have been combined in "Instruction (Part II) for Negotiating Agreements under Title I, PL 480," a copy of which is attached (enclosure#5). Part II is to be considered and handled as an integral part of this instruction, except as modified by this instruction.

3. Commodity Composition

The commodity composition of the proposed program is as follows:

Commodity

(2)

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DRAFTED BY: FAS:ARollefson
ORCS:CGPetfordbad:10/9/61

CONTENTS AND CLASSIFICATION APPROVED BY:
E - Philip H. Trezise

CLEARANCES:

SPA:Mr. Thrasher
ED:Mr. Schmeisser
FN:Miss Milne

L/E:Mr. Tendler
L/T:Mrs. Bradford
GSD:Mr. Gabbert

OR:Mr. Bramble
ISC

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<u>Commodity</u>	<u>Approximate Quantity</u>	<u>Export Market Value</u>	<u>Estimated CCC Cost</u>
Rice	50,000 MT	\$ 5,800,000	\$ 11,000,000
Ocean transportation (estimated)		900,000	900,000
Total		\$ 6,700,000	\$ 11,900,000

The proposed offer of rice is in accordance with the request of the GOI. Consultations with rice exporting nations in Southeast Asia reveal that this rice will be made available to Indonesia at a time when these nations are unable to supply sufficient rice to meet current Indonesian needs.

Since Section 106 of PL 480 now requires that commodities must be surplus at the time of exportation, the standard language of Article I, paragraph 1 of Title I agreements has been revised to reflect this requirement. The program has always been administered on this basis and the new language will not affect actual operations under Title I. The reference to "availability of commodities under the Act" is to the definition of "surplus agricultural commodity" in Section 106.

4. Usual Marketings

As previously agreed, the GOI will be required to procure and import in CY 1961 from the United States of America and countries friendly to it not less than 650,000 MT of rice in addition to rice provided in this agreement. This requirement is not in addition to that contained in the March 2, 1961 agreement but it is considered desirable to reiterate the requirement even though compliance has been fulfilled.

5. Deposit Rate

The deposit rate for this agreement will, under the current Indonesian exchange system, be 56.25 rupiah per U.S. dollar. This is the rate generally applicable to import transactions and is consonant with the new Section 101(f) of PL 480 which reads as follows:

"In negotiating such agreements the President shall ---...
(f) obtain rates of exchange applicable to the sales of commodities under such agreements which are not less favorable than the rates at which United States Government agencies can buy currencies from the United States disbursing officers in the respective countries."

In most countries the principal import rate has not been less favorable than that used by the USDO in selling currency to United States agencies,

and

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and therefore, past deposit rate policies can continue without change. However, since changes in the exchange system of any country could create a conflict between the policy and the new legislative requirement it was necessary to revise the standard language of Section 1 of Article III to provide for such an eventuality. This has been done by providing for continued use of the import rate in unitary rate countries because no conflict exists but requiring mutual agreement in a note wherever multiple rates exist or are adopted. For this purpose a country having only normal "buying" and "selling" spreads would be considered as a unitary rate country and no deviation from past practice would be required since the rate at which dollars are sold, which is used for PL 480 deposits, is not less favorable than the buying rate. (The rate used by the USDO for sales to United States agencies is usually based upon the rate at which the agencies could legally buy the foreign currency by the sale of dollars in the country if they had to meet their currency needs by buying from local banks rather than from the USDO.)

In countries with multiple exchange rate systems -- that is, where there is more than one exchange rate legally in effect, depending on the type of transaction -- a separate note is required under Section 1 (b) of Article III. This note will still require use of the principal import rate if such rate is the same or more favorable to the U.S. than the USDO rate but will, of course, require use of the USDO rate if it should be the more favorable of the two. It is recognized that in the latter situation this requirement may impose serious negotiating obstacles, but the law leaves no latitude for exceptions. Since Indonesia has multiple rates, a text of the note required is attached (enclosure #3)

In all negotiations, the Embassy should insure that a written record is made showing that the representatives of Indonesia clearly understand that (1) the legislation requires that deposits be at a rate at least as favorable to the U.S. as the rate used by the Disbursing Officer; (2) that if a change takes place to make it less favorable, the U.S. will have to suspend deliveries pending negotiation of a new arrangement; and (3) that the U.S. must reserve the right if need be to suspend deliveries whenever a change in ^{the} exchange system takes place.

6. Currency Uses

(a) U.S. Uses - 20 percent of the rupiah accruing pursuant to this agreement is proposed for U.S. uses under subsections (a), (b), (f), and (h) through (s) of Section 104.

The new legislation requires provision for the convertibility of not less than 2 percent of the proceeds from both sales and loan agreements into

other

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other currencies for use only for agricultural market development under Section 104(a). Revised language for Section 104(g) loan agreements will provide for convertibility and the loan agreement should be negotiated simultaneously with the sales agreement. The new provision for convertibility has been interpreted as not being applicable to Section 104(e) (Cooley Amendment) loans.

The amount of 104(a) convertibility provided in a Title I sales agreement will be expressed in terms of a percentage of sales proceeds. Provision for 104(a) convertibility is contained in the attached draft side note (enclosure #2). The U.S. Government will expect conversion to be made upon request of up to the stated percentage of sales proceeds which have been deposited at the time the request is made. With respect to convertibility of payments of principal and interest on Section 104(g) loans, it is expected that the U.S. Government will notify the borrowing government in advance of each payment of the amounts and kinds of foreign currencies to be included in the payment as a result of this provision. For the time being, the Secretary of Agriculture (authorized by Section 104(a) to make such determination) has determined that 2 percent of Section 104(g) loan proceeds (principal and interest) will be sufficient convertibility for Section 104(a) purposes (in addition to convertibility of sales proceeds).

You will further note that a new subsection (s) has been added to Section 104 in the draft sales agreement (enclosure #1). This subsection authorizes sales of currencies for dollars to American tourists as the President may direct. You should call this provision specifically to the attention of the GOI. If the GOI raises serious objections to the inclusion of subsection (s) you are requested to report these objections to Washington and await further instructions.

(b) Loans under Section 104(e) (Cooley Amendment) - 5 percent of the rupiah accruing pursuant to this agreement is proposed for loans to private firms through the Export-Import Bank.

(c) Loan under Section 104(g) - 75 percent of the rupiah accruing pursuant to this agreement is proposed for a loan to the GOI for economic development projects. You will note that the attached draft loan agreement (enclosure #4) does not provide for maintenance of value and that the interest rate is 4 percent. Repayment should be within 30 years.

7. Signing Procedure. If the proposed sales and loan agreements are acceptable to the GOI, the Embassy should cable priority for authorization to sign the sales agreement, giving the proposed date and hour of the

scheduled

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scheduled signing. At least 48 hours advance notice is needed. As soon as the agreement is signed, you should cable the Department priority and airpouch copies in accordance with Item 17 of Part II of the Negotiating Instruction.

RUSK

Enclosures:

1. Draft sales agreement.
2. Draft note on marketings, convertibility and travel.
3. Draft note on exchange rate.
4. Draft loan agreement. (to be sent separately)
5. Part II, Negotiating Instruction.

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ENCLOSURE #1

AGRICULTURAL COMMODITIES AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF INDONESIA
UNDER TITLE I OF THE
AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Indonesia;

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for rupiah of agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the rupiah accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of agricultural commodities to Indonesia pursuant to Title I of the Agricultural Trade Development and Assistance Act as amended (hereinafter referred to as the Act), and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

ARTICLE I
SALES FOR INDONESIAN RUPIAH

1. Subject to issuance by the Government of the United States of America and acceptance by the Government of Indonesia of purchase authorizations and to the availability of commodities under the Act at the time of exportation, the Government of the United States of America undertakes to finance the sales for rupiah, to purchasers authorized by the Government of Indonesia, of the following agricultural commodities in the amounts indicated:

Commodity

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Page 2 of Enclosure #1

<u>Commodity</u>	<u>Export Market Value</u>
Rice	\$ 5,800,000
Ocean Transportation (estimated)	900,000
Total	\$ 6,700,000

2. Applications for purchase authorizations will be made within 90 calendar days of the effective date of this Agreement, except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the rupiah accruing from such sale, and other relevant matters.

3. Purchase and shipment of the commodities mentioned above will be made within 18 calendar months of the effective date of this Agreement.

4. The financing, sale and delivery of commodities under this Agreement may be terminated by either Government if that Government determines that because of changed conditions the continuation of such financing, sale or delivery is unnecessary or undesirable.

ARTICLE II
USES OF INDONESIAN RUPIAH

The rupiah accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes, in the amounts shown:

- A. For United States expenditures under subsections (a), (b), (f) and (h) through (s) of Section 104 of the Act, or under any of such subsections, twenty percent of the rupiah accruing pursuant to this Agreement.
- B. For loans to be made by the Export-Import Bank of Washington under Section 104(e) of the Act and for administrative expenses of the Export-Import Bank of Washington in Indonesia incident thereto, five percent of the rupiah accruing pursuant to this Agreement.
- C. For a loan to the Government of Indonesia under Section 104(g) of the Act for financing such projects to promote economic development, including projects not heretofore included in plans of the Government of Indonesia, as may be mutually agreed, seventy-five percent

of the

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Page 3 of Enclosure #1

of the rupiah accruing pursuant to this Agreement. The terms and conditions of the loan and other provisions will be set forth in a separate loan agreement. In the event that agreement is not reached on the use of the rupiah for loan purposes within three years from the date of this Agreement, the Government of the United States of America may use the rupiah for any purposes authorized by Section 104 of the Act.

ARTICLE III
DEPOSIT OF INDONESIAN RUPIAH

1. The amount of rupiah to be deposited to the account of the Government of the United States of America shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) converted into rupiah, as follows:

- (a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States, provided that a unitary exchange rate applying to all foreign exchange transactions is maintained by the Government of Indonesia, or
- (b) if more than one legal rate for foreign exchange transactions exists, at a rate of exchange to be mutually agreed upon from time to time between the Government of the United States of America and the Government of Indonesia.

2. In the event that a subsequent Agricultural Commodities Agreement or Agreements should be signed by the two Governments under the Act, any refunds of rupiah which may be due or become due under this Agreement more than two years from the effective date of this Agreement would be made by the Government of the United States of America from funds available from the most recent Agricultural Commodities Agreement in effect at the time of the refund.

ARTICLE IV
GENERAL UNDERTAKINGS

The Government of Indonesia agrees that it will take all possible measures to prevent the resale or transshipment to other countries, or the use for other than domestic purposes (except where such resale,

transshipment

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Page 4 of Enclosure #1

transshipment or use is specifically approved by the Government of the United States of America), of the surplus agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability for export from Indonesia of these or like commodities.

The two Governments agree that they will take reasonable precautions to assure that sales or purchases of surplus agricultural commodities pursuant to the Agreement will not unduly disrupt world prices of agricultural commodities, displace usual marketings of the United States of America in these commodities, or disrupt normal patterns of commercial trade with friendly countries.

In carrying out this Agreement, the two Governments will seek to assure conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

The Government of Indonesia agrees to furnish, upon request of the Government of the United States of America, information on the progress of the program, particularly with respect to arrival and condition of commodities and information relating to exports of the same or like commodities.

ARTICLE V
CONSULTATION

The two Governments will, upon the request of either of them, consult regarding any matters relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

ARTICLE VI
ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

Done at Djakarta this _____ day of _____.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF
INDONESIA:

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By CP NARA Date 8/4/00

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ENCLOSURE #2

Excellency:

With reference to the Agricultural Commodities Agreement signed today between representatives of our two Governments, under which the Government of the United States of America undertakes to finance the delivery to Indonesia of \$6,700,000 of rice, I have the honor to inform you of the following:

(1) In expressing its agreement with the Government of the United States of America that the above-mentioned deliveries should not unduly disrupt world prices of agricultural commodities or impair trade relations among friendly nations, my Government agrees that during the calendar year 1961 ~~ending June 30, 1962~~ it will procure and import with its own foreign exchange resources ~~from the United States of America and~~ countries friendly to it at least 650,000 metric tons of rice in addition to the rice to be imported under the terms of the cited Agreement.

(2) With regard to the conversion of rupiah into other currencies and to certain other matters relating to the use by the Government of the United States of America of Indonesian rupiah accruing under the subject Agreement it is understood that:

(a) Upon request of the Government of the United States of America, the Government of Indonesia will provide facilities for conversion of two percent of the rupiah accruing from sales under this Agreement into other currencies for purposes of Section 104(a) of the Agricultural Trade Development and Assistance Act, as amended (hereinafter referred to as the Act). These currencies will be used in the case of Section 104(a) to finance agricultural market development activities in other countries.

(b) The Government of the United States may utilize rupiah in Indonesia to pay for international travel originating in Indonesia or originating outside Indonesia when involving travel to or through Indonesia, including connecting travel, and for air travel within the United States or other areas outside Indonesia when it is part of a trip in which the traveler journeys from, to or through Indonesia. It is understood that these funds are intended to cover only travel by persons engaged in activities financed under Section 104 of the Act. It is further understood that this travel is not limited to services provided by Indonesian airlines.

(3) With respect to paragraph 2 of Article II of the Agreement, loans to be made under that portion of Section 104(e) of the Act will be in accordance with the provisions of the Indonesian Foreign Capital Investment Law of October 27, 1958, No. 78.

I shall

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Authority NND 949570
By GP NARA Date 8/4/00

11

W-23, Djakarta

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- 2 -

Page 2 of Enclosure #2

I shall appreciate receiving Your Excellency's confirmation of the above understandings.

Accept, Excellency, the renewed assurances of my highest consideration.

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By CP NARA Date 8/4/00

12

Vi-23, Djakarta

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ENCLOSURE #3

Excellency:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Indonesia signed today, and in particular to Article III concerning the applicable rate of exchange for the deposit of rupiah equivalent to (1) the dollar sales value of the commodities purchased under the Agreement and (2) ocean transportation costs financed by the Government of the United States of America.

I wish to confirm my Government's understanding of the agreement reached in conversations between representatives of our Governments, which understanding is as follows:

1. Pursuant to the provisions of subparagraph 1(b) of Article III of the said Agreement, as long as there is no change in the present exchange system of Indonesia, the Class A, Subcategory II, import rate, at present 56.25 rupiah per dollar, is applicable to deposits relating to dollar disbursements made pursuant to Article III of the Agreement.

2. In the event of a change in the exchange system of Indonesia, including a change in the price component system before the dollar disbursements referred to in Article III are completed, a new exchange rate for deposits under Article III, to be applicable from the date of such change, will be determined by mutual agreement.

I shall appreciate receiving Your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

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By CP NARA Date 8/4/00

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Department of State

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Action

Control: 7157

E

Rec'd: October 12, 1961
3:47 a.m.

Info

FROM: DJAKARTA

SS

TO: Secretary of State

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NO: 683, OCTOBER 12, 9 AM

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RMR

PRIORITY

DEPTEL 363

OCT 12 1961
MESSAGE CENTER
CONTROL

EMBOFFS DISCUSSED SUBSTANCE REFTEL WITH OFFICIALS FONDEP OCTOBER 9 AND 10. OFFICIALS EXPRESSED DEEP DISAPPOINTMENT INABILITY U.S. FULFILL 100,000 TONS REQUEST. RECONCILED TO FACT ONLY 50,000 MAXIMUM CURRENTLY AVAILABLE BUT HAVE REQUESTED URGENT CONTINUING CONSIDERATION SUPPLY ANY ADDITIONAL AMOUNT THAT MAY BECOME AVAILABLE, PRIOR END OF YEAR IF POSSIBLE. STATED STRINGENT FOREIGN EXCHANGE POSITION PRECLUDED PURCHASE RICE EVEN THOUGH NEED GREAT. (SEE THIS CONNECTION EMBTEL 675).

PONSEN TOOK STRONG EXCEPTION TO POINT 2 LAST PARA REFTEL. WE EXPRESSED OPINION THIS RICE WAS IN FACT 50,000 TONS LISTED FOR CALENDAR 1961 IN PROPOSED MULTIYEAR PROGRAM (W-3). QUANTITY RICE TO BE MADE AVAILABLE IN PROGRAM FOR CALENDAR 1962 WOULD NOT BE AFFECTED. IS THIS ACCURATE? WE ASSUME DEPT, LIKE GOI, NOW ENVISAGES MULTIYEAR PROGRAM BEGINNING CALENDAR 1962.

27
PONSEN ALSO TOOK EXCEPTION TO INCLUSION SECTION 104(S) ON BASIS WOULD UNDERMINE GOI'S BIG PUSH FOR TOURIST DOLLARS. WE AGAIN EXPRESSED INFORMAL VIEW SALES RUPIAH TO TOURISTS UNDER 104(S) WOULD BE UNLIKELY SINCE WOULD BE GOVERNED BY DEPOSIT RATE RP. 56.25 WHILE GOI'S TOURIST RATE CURRENTLY RP. 90. IN ANY CASE, WE OPINED EXERCISE 104(S) CLAUSE COULD NOT RUN COUNTER TO GOI'S FOREIGN CURRENCY REGULATIONS

WHICH

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ACTION ASSIGNED TO:	ACTION TAKEN:	DATE OF ACTION:	DIRECTIONS DICTATED BY RM/R:
NAME OF OFFICER: <i>Sebetra</i>	<i>Dep't 394</i>	<i>9/16/61</i>	<i>Full</i>
OFFICE SYMBOL: <i>ESD</i>			

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Authority *NND 949570*
By *GP* NARA Date *8/4/00*

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-2- 683, OCTOBER 12, 9 AM, FROM DJAKARTA

WHICH PRESCRIBE SALES CURRENCY ONLY THROUGH AUTHORIZED CHANNELS. IF DEPT CONCURS, SUGGEST ADD CLAUSE TO 104(S) TO EFFECT "ASSUMING SALES SUCH CURRENCY ARE IN ACCORD WITH LAWS AND REGULATIONS GOVERNMENT REPUBLIC INDONESIA..."

FONDEP STATES POSSIBILITY PRESIDENT MAY RECONSIDER RULING RE GRANTS (EMBTel 597). THOUGH GOI AGREES GRANTS NOT TO BE INCLUDED IN AGREEMENT, GOI REQUESTS, IF POSSIBLE, UNDERSTANDING THAT AGREEMENT COULD BE AMENDED SUBSEQUENTLY TO INCLUDE GRANTS RETROACTIVE TO THIS AGREEMENT.

PONSEN RELAYED BANK INDONESIA REQUEST ALL RICE THIS AGREEMENT BE SHIPPED AMERICAN BOTTOMS ON ASSUMPTION U.S. WILL FINANCE 100 PERCENT FREIGHT. WE EXPLAINED FAS OR FOB SHIPMENT, OPERATION 50 PERCENT CLAUSE, NAMELY U.S. REIMBURSEMENT ONLY THAT PART U.S. REQUIRED BY LAW BE SHIPPED U.S. BOTTOMS. HOWEVER, IF FEASIBLE U.S. FINANCE 100 PERCENT FREIGHT, PLEASE INFORM. THIS WOULD OBVIOUSLY PROVIDE RELIEF TO GOI IN PRESENT SHORT RESERVES SITUATION.

GOI AWAITING DRAFT AGREEMENT. MEANWHILE, EMBASSY WILL APPRECIATE SOONEST GUIDANCE ON QUESTIONS RAISED THIS MESSAGE.

JONES

CJ

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Authority AND 949570
By CD NARA Date 8/4/00

OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

CONFIDENTIAL

Classification

1961 OCT 16 AM 11

07135

Origin

ACTION: Amembassy DJAKARTA ³⁹⁴ PRIORITY

Info:

Embtel 683 ^{611.9841/10-1261}

Following is position interested agencies points raised refel re short-term Title I PL 480 agreement for 50,000 MT rice:

1) We agree with GOI that multi-year program should now begin CY 1962. Embassy's assumption correct that quantity of rice to be offered in first year of multi-year agreement not affected. That is, we would still plan, ^{Thailand} subject consultation ~~THAILAND~~, offer 50,000 MT first year that agreement in addition 50,000 MT offered in short-term agreement. However, 50,000 MT ~~THAILAND~~ offered latter agreement is not same as 50,000 MT originally proposed for first year multi-year (i.e., CY 1961), since that amount now ^{is} pushed forward to CY 1962. 50,000 MT we offering short term agreement ^{is} the additional 50,000 MT rice we envisaged adding to amount proposed for first year multi-year agreement, ^{which would have made} ~~amount~~ total of 100,000 MT first year only of multi-year (see Deptel 273). By now offering this additional rice outside multi-year agreement as requested by GOI and Embassy, we naturally effect corresponding reduction in size that agreement. ^{as augmented,} You may inform GOI we prepared offer ^{more} ~~additional~~ rice before December 31, 1961, as amendment short-term agreement, subject consultation Thailand. In this case, however, delivery 50,000 MT for first year multi-year program could not begin until ^{next} August, 1962, when ~~next~~ year's US crop available.

(2)

Drafted by:

OR:CSD:CGPetro ^{del} 10/13/61

Telegraphic transmission and classification approved by:

OR:CSD:Sydney ^{del}

SEA:Mr. Erickson (subs) ^{del}
FAS:Mr. Kross ^{del}
ED:Mr. Schmeisser ^{del}
SPA:Mr. Thrasher ^{del}

ICA:Mr. Durso ^{del}
ICA:Mr. Campbell ^{del}

CONFIDENTIAL

Classification

FORM DS-322

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10-1261
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10 Jakarta 394

611.9841/10-1261

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Authority NND 949570
By ^{del} NARA Date 8/4/00

Page 2 of telegram to Ambassy DJAKARTA

~~CONFIDENTIAL~~
Classification

~~CONFIDENTIAL~~ 104(s)

2) Additional clause re ~~CONFIDENTIAL~~/not acceptable. If you satisfied inclusion 104(s) would constitute serious obstacle conclusion agreement, you authorized withdraw it.

3) You not authorized make any commitment re grants beyond that stated Deptel 321. That is, US always willing consider grant request, but can offer no assurances request will be approved pending determination by USG reasons for grant sufficient justify Presidential waiver.

4) US cannot finance more than 50 percent ocean freight.

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Classification

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Authority NND 949570
By CP NARA Date 8/4/00

52
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Department of State

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Action

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Control: 9471
Rec'd: October 16, 1961
10:30 a.m.

E
Info

FROM: Djakarta

L

TO: Secretary of State

FE

BFAC

NO: 711, October 16, 4 p.m.

ICA

AGR

PRIORITY

RMR

Reference: Department's telegram 363.

Cable date draft agreement forwarded (last paragraph reference telegram).

GOI urgently requests draft.

JONES

ba

Note: Mr. Petrow's office (CSD) notified 10-16-61, CWO-M.

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IN 10/16/61 OUT

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By CP NARA Date 8/4/00

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Classification

1961 OCT 16 PM 2 45

07174

Handwritten: 395

Origin

Amembassy
ACTION: / DJAKARTA

395

PRIORITY

Info:

Embtel 711

Negotiating instruction pouched October 11.

Handwritten: 611.9841

Handwritten: Rusk

RUSK

Handwritten: 611.9841/10-1661

②

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Drafted by: OR:CSD:GCPetrow:bad:10/16/61

Telegraphic transmission and
classification approved by:

OR:CSD:Sydney Mellon

Clearances:

SPA:Mr. Thrasher

Handwritten: S/CR

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8-61 DS-322

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By *Handwritten:* GP NARA Date *Handwritten:* 8/4/00

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Department of State

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36-H
Action
E

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Control: 14035
Rec'd: Oct. 23, 1961
1:53 p.m.

Info

FROM: DJAKARTA

SS

TO: Secretary of State

L

NO: 745, OCTOBER 23, 5 PM

H

FE

BFAC

PRIORITY

ICA

PC

DLF

REFERENCE: DEPT. W-23.

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USIA

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NSA

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TRSY

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RMR

ECON DIRECTORATE OFFICIALS, FOREIGN AFFAIRS, STATE GOT WANTS SIGN SHORT-TERM RICE AGREEMENT NOON WEDNESDAY, OCT. 25. AS GOI REQUESTS CERTAIN CHANGES IN AGREEMENT AND NOTES, THEY INFORMED UNLESS US AGREES TO GOI COUNTER PROPOSALS, INSUFFICIENT TIME TO RECEIVE REPLY AND PREPARE DOCUMENTS. GOI PREFERS SIGN AGREEMENT PRIOR SECRETARY FREEMAN'S VISIT AND EMBASSY CONCURS TO AVOID IMPRESSION WE CAPITALIZING ON CRISIS FOR PROPAGANDA EFFECT. REQUEST AUTHORIZATION SIGN SALES AGREEMENT, OCTOBER 25. SECRETARY GENERAL SUWITO TO SIGN FOR GOI.

GOI OFFICIALS NOW STATE THAT GRANTS TO BE EXCLUDED MULTI-YEAR PROGRAM BUT SHOULD BE INCLUDED THIS AGREEMENT. THEREFORE, GOI REQUESTS INCLUSION GRANT THIS AGREEMENT IF WILL NOT DELAY CONCLUDING THE AGREEMENT. IF WILL DELAY, THEN GOI WILL ASK FOR GRANT AT LATER DATE.

③

SUGGEST IN ARTICLE 11: IN PARA C CHANGE 75 PERCENT TO 37-1/2 PERCENT; ADD PARA D WHICH WILL STATE "FOR A GRANT TO THE GOVERNMENT OF INDONESIA UNDER SECTION 104 (E) OF THE ACT, FOR FINANCING SUCH PROJECTS TO PROMOTE ECONOMIC DEVELOPMENT AS MAY FROM TIME TO TIME BE MUTUALLY AGREED THIRTY-SEVEN AND ONE-HALF (37-1/2) PERCENT OF THE RUPIAH ACCRUING PURSUANT TO THIS AGREEMENT."; IN PARA A DELETE (S) AND INSERT (R).

E MESSAGE CENTER
OCT 23 1961
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Djakarta 745

611.9841/10-2361

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By NARA Date 8/4/00

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-2- 745, OCTOBER 23, 5 PM, FROM DJAKARTA

IN ENCLOSURE 2 OF REF. INSTRUCTION PARA (B) UNDER PARA (2) GOI STATED THIS CLAUSE COUNTER GOI REGULATIONS WHICH PRECLUDE PAYMENT INTERNATIONAL TRAVEL WITH RUPIAH. FOREIGN AIRLINES MUST SHOW PURCHASE OF RUPIAH WITH FOREIGN CURRENCY FOR USE COVER LOCAL EXPENDITURES. GOI STATES THIS CLAUSE IMPLIES CONVERSION WITHOUT CEILING AMOUNT MENTIONED AND THIS GOI FEELS UNTENABLE. GOI PREFERS (B) BE DELETED. EMBASSY RECOMMENDS EITHER (1) DELETION PARA (B) OR (2) INCLUSION FIXED AMOUNT HW* PURPOSE AS CONTAINED LAST SENTENCE IN PARA 2 OF NOTE NO. 279 TO NOV. 5, 1960, AGREEMENT.

JONES

BP

*AS RECEIVED. WILL BE SERVICED UPON REQUEST.

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By GP NARA Date 8/4/00

52
OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

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901 OCT 24 PM 7 35

11487

Origin

ACTION: Amembassy DJAKARTA - PRIORITY

Info:

Your 745

If you satisfied GOI accepts provisions loan agreement and has authorized Ambassador/W sign loan agreement, you authorized sign Title I PL 480 sales agreement for 50,000 MT rice transmitted W-23 with following changes:

1) Deletion 104(s) authorized.

2) Deletion subparagraph 2(b) of Enclosure #2 on international travel authorized provided you make clear to GOI this decision is concession to Indonesia's urgent need for rice and in no way applies to international travel paragraph in multi-year agreement.

Time does not permit consideration belated GOI request for grant prior to signing. In any case, such consideration not possible in absence justificatory material from Embassy as required by ICATO IA-414 of November 25, 1959. Hence changes Article II, other than deletion 104(s), proposed refel unacceptable.

Confirm signing priority in clear. Forward documents per 4 FSM 326.

③

Rusk
RUSK

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Drafted by:

OR: CSD: CGP Petrovich: 10/24/61

Clearances:

AS: Mr. Kross

SPA: Mr. Thrasher

ICA: Miss Thompson

ICA: Mr. Campbell

ICA: Mr. Burgess

L/E: Mr. Tandler

ED: Mr. Schweitzer

TRST: Mr. Nelson

Telegraphic transmission and

classification approved by:

E - Peyton Kerr

CSD: Mr. Gabbert

OR: Mr. Mellen

S/S-CR

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OCT 24 1961 PM

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By GPO NARA Date 8/4/00

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Department of State

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Control:

15460

Rec'd:

October 25, 1961
6:02 AM

E

Info

FROM: Djakarta

L

TO: Secretary of State

FE

NO: 759, October 25, Noon

RMR

PRIORITY

Reference: Embassy telegram 745

Request NIACT reply reference telegram to enable signature
1230 hours October 26.

JONES

HC/10

OCT 25 1961
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Action

3

Control: 17250

Rec'd: October 27, 1961

E

Info

FROM: Djakarta

L

TO: Secretary of State

H

EUR

NO: 770, October 27

BFAC

ISA

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PRIORITY

USIA

Fourth PL 480 agreement signed 1230 Thursday, October 26.

INR

Embassy assured provisions loan agreement acceptable and informed their Ambassador notified telegraphically to sign loan agreement.

CIA

NSA

COM

AGR

FRB

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RMR

JONES

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OCT 27 1961
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DJA/KRTA 770 611.9841/10-2761

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